

No. 60665

2nd AMENDED
APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office NOV 18 1994Returned to applicant for correction JAN 13 1995Corrected application filed FEB 03 1995Map filed APR 05 1995 (POD); POU under 45166 sheet 1/2 filed 4 Jan 82The applicant Ely municipal water dept.501 Mill Street

Street and No. or P.O. Box No.

, of Ely

City or Town

Nevada 89301

State and Zip Code No.

hereby make s application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 3.0 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Quasi-municipal
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point within the SE 1/4, Section 14,
Describe as being within a 40-acre subdivision of public

T16N, R63E, M.D. B&M. The SW corner of Section 14 bears S 35° 29' 12" W a distance of
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

of 3,915.36 feet from the proposed point of diversion.

6. Place of use is the same place of use in the map accompanying applications 45166-45172
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

filed by the Ely municipal water dept. The maps accompanying applications 45166-45172

show fully and correctly the place of use. Please attachment to Item 6.

7. Use will begin about Jan. 1st and end about Dec. 31st, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drill & case 16" well, equip with 150 H.P.
State manner in which water is to be diverted, i.e. diversion structure, ditches and

lineshaft turbine pump, construct building, & connect to system.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... \$ 200,000.00

10. Estimated time required to construct works..... 2 years

If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Use map filed under applications 45166-45172 to illustrate the place of use.

By s/ Dean Day, Agent
Dean Day
501 Mill Street
Ely, Nevada 89301

Compared sm/gkl jr/bk

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed 707.72 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 1, 1998

Proof of completion of work shall be filed before October 1, 1998

Application of water to beneficial use shall be filed on or before September 1, 2003

Proof of the application of water to beneficial use shall be filed on or before October 1, 2003

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed OCT 27 1998

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 1st day of September

A.D. 1995

[Signature]
State Engineer

(PERMIT TERMS CONTINUED)

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The total combined duty of water under Permits 45166, 45168, 45169, 45170, 45624, 51397 and 60665 shall not exceed 1631.17 million gallons annually.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from this well and all other sources individually and the amount of water used from this well and all other sources.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate those adverse affects.

ATTACHMENT TO ITEM # 6 - PROPOSED PLACE OF USE
TO ACCOMPANY AMENDED APPLICATION # 60665
FOR THE CITY OF ELY MUNICIPAL WATER DEPARTMENT
REFERENCE PREVIOUS PLACE OF USE MAPS ACCOMPANYING # 45166-45172

T17N, R64E, MT. DIABLO BASE & MERIDIAN
SW 1/4 - SECTION 31

T16N, R64E, MT. DIABLO BASE & MERIDIAN
NW 1/4 - SECTION 6

T17N, R63E, MT. DIABLO BASE & MERIDIAN
S 1/2 - SECTION 25
SE 1/4 - SECTION 26
E 1/2 - SECTION 35
ALL OF SECTION 36

T16N, R63E, MT. DIABLO BASE & MERIDIAN
ALL OF SECTION 1
ALL OF SECTION 2
ALL OF SECTION 10
ALL OF SECTION 11
SW 1/4, S 1/2, NW 1/4 - SECTION 13
W 1/2 SE 1/4 - SECTION 13
ALL OF SECTION 14
ALL OF SECTION 15
ALL OF SECTION 16
ALL OF SECTION 17
ALL OF SECTION 20
ALL OF SECTION 21
ALL OF SECTION 22
ALL OF SECTION 23
W 1/2 W 1/2 - SECTION 24
W 1/2 - SECTION 25
ALL OF SECTION 26
ALL OF SECTION 27
N 1/2 - SECTION 28
SE 1/4 - SECTION 28
S 1/2 NE 1/4 - SECTION 29
NE 1/4 NE 1/4 - SECTION 29
E 1/2 - SECTION 33
ALL OF SECTION 34
N 1/2 - SECTION 35
W 1/2, W 1/2 SE 1/4 - SECTION 36
SW 1/4 NE 1/4 - SECTION 36

